

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROBERT ANNABEL,

Plaintiff,

v.

No. 14-10244

District Judge Arthur J. Tarnow
Magistrate Judge R. Steven Whalen

JACK FROST, ET AL.,

Defendants.

ORDER

Plaintiff's Motion to Strike Clerk's Entry of Notice of Appeal [Doc. #116] is GRANTED.

On August 9, 2017, the Clerk of the Court entered a Certificate of Service of Notices of Appeal on the Sixth Circuit and all interested parties [Doc. #113]. The Clerk's Office apparently construed Plaintiff's appeals of Magistrate Judge orders [Doc. #117 and #118] as appeals to the Sixth Circuit. In fact, the Plaintiff's "appeals" were premised on 28 U.S.C. § 636(b)(1), Fed.R.Civ.P. 72(a), and E.D. Mich. Local Rule 72.1. As such, they were objections to the Magistrate Judge's orders, and were directed to the District Judge for review, not the Sixth Circuit. In the present motion, Plaintiff confirms that he did not intend to file a notice of appeal to the Sixth Circuit.

Therefore, Plaintiff's Motion to Strike [Doc. #116] is GRANTED.

IT IS SO ORDERED.

s/ R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: September 14, 2017

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was sent to parties of record on September 14, 2017, electronically and/or by U.S. mail.

s/Carolyn M. Ciesla
Case Manager to the
Honorable R. Steven Whalen